

**CULLMAN COUNTY COMMISSION MEETING**  
**June 9, 2009**

**CALL TO ORDER AND WELCOME**

Chairman James Graves called the Commission Meeting to order at 10:01 a.m. and welcomed the visitors.

**CALL OF ROLL TO ESTABLISH QUORUM, INVOCATION AND PLEDGE OF ALLEGIANCE**

Charlotte Slatton, County Clerk, called the roll; present were Chairman James Graves, Commissioner Wayne Willingham, Commissioner Doug Williams and County Attorney Dan Willingham. The invocation was given by Dan Willingham and Commissioner Wayne Willingham led the Pledge of Allegiance.

**APPROVE MINUTES OF THE MAY 26, 2009 MINUTES, APPROVE APPROPRIATIONS, EXPENDITURES, REQUISITIONS, TRAVEL EXPENSES; AND APPROVE ALL JOURNAL ENTRIES TO BE POSTED.**

Commissioner Doug Williams made the motion to approve the May 26, 2009 minutes, approve appropriations, expenditures, requisitions, travel expenses and approve all journal entries to be posted. Commissioner Wayne Willingham made a second to the motion and upon a voice vote, the motion carried unanimously.

**PUBLIC COMMENTS**

George Mann informed the County Commission that the veterans will be selling Buddy Poppies during the 4th of July holiday. The Commission gave permission to the veterans to sell hot dogs and hamburgers at Sportsman's Lake on the 4th of July to raise funds for the Memorial Park project.

**NEW BUSINESS**

**Authorize the Chairman to sign the agreement of purchase and sale of mitigation credits for Permit 14 of the OHV Park**

John Sellers, Director of Parks and Recreation, stated this is the final step in completing Permit 14 with the Army Corp of Engineers for the creek crossings and bridges in the OHV Park. The purchase price of the credits is \$14,880.00. Commissioner Williams made a motion to authorize the Chairman to sign the agreement for purchase of mitigation credits. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

**Consider approval of a \$1,000.00 expenditure for the Berlin Community Center for insurance deductible for storm damage to roof**

Chairman Graves stated the Berlin Community Center, a polling location, sustained storm damage to the roof and the Commission has received a request for \$1,000.00 to cover the insurance deductible. Commissioner Williams made a motion to give \$1,000.00 to the Berlin Community Center. Commissioner Willingham seconded, and upon a voice, the motion passed unanimously.

**Consider request from the White City Community Center for funding.**

Commissioner Williams made a motion to give the White City Community Center \$1,000 for maintenance. Commissioner Willingham seconded. The motion passed on a unanimous voice vote.

**Authorize the signing of the National Association of Counties (NACo) Prescription Discount Card Program**

Commissioner Willingham stated the Prescription Discount Card Program, sponsored by NACo, would enable Cullman County residents without prescription drug coverage to purchase their prescription with only a co-pay or at a reduced rate. This program is at no cost to the County Commission or the residents. There are ten local pharmacies that are currently participating in the program. The cards would be distributed through the CRMC Emergency Room, the Good Samaritan Clinic and area urgent care facilities. Dan Willingham, County Attorney, stated he has looked at the program and commended Commissioner Willingham for his recommendation. Commissioner Willingham made a motion to authorize the Chairman to sign the agreement for the NACo Prescription Discount Card Program. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

**Authorize the Chairman to sign the Emergency Management Performance Grant (EMPG) for the annual funding of EMA**

Kelly Allen from the EMA Office stated the grant is the annual funding for EMA. The federal allocation for 2009 is \$45,671.00. Commissioner Williams made a motion to authorize the Chairman to sign the EMPG for the annual funding of EMA. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

**Consider approval of the Revenue Commission Litigation and Insolvents for 2008.**

Barry Willingham, Revenue Commissioner, stated the annual report shows insolvents, errors and taxes in litigation for 2008; these include homestead exemption that were not applied, entities that have gone out of business and taxes that can not be collected, or properties in bankruptcy. Commissioner Williams made a motion to approve the litigation and insolvents for 2008. Commissioner Willingham seconded. The motion passed upon a unanimous vote.

**Discussion of a proposal for a county wide mapping program.**

Revenue Commissioner Barry Willingham stated he is currently reviewing a software program for mapping of Cullman County which would enable all County offices to access the mapping. The cost will be \$50,000 per year for the first three (3) years which would be included in the Revenue Commissioner's budget. After the initial contract period, each department would evaluate the benefit of the mapping program to determine if they want to continue the service at their

department's expense. When the final proposal is received and cost evaluations are made, he will forward the proposal to the County Commission. Commissioner Willingham made a motion to authorize the Revenue Commissioner to obtain and evaluate the proposal for mapping software. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

**Consider allowing the Cullman County Water Department to buy water from Arley to study if change will positively affect Disinfection By-Products (DBPS).**

David Bussman from the Cullman County Water Department reported to the Commission on the DBPS in the County water. DBPS are caused by a reaction of organics to the chlorine in the water. The further water is transported the higher the DBPS numbers. Currently water is being transported 23 miles from the City of Cullman's treatment to the lower part of the County. The purchase of water from Arley would decrease the transportation distance to 13.3 miles. Currently as much as 50% of the water is being flushed in order to obtain quality water. Mr. Bussman requested that water be purchased from Arley to supply the County from the Trade water tank south to determine if this would lower the DBPS counts to bring the County into compliance with EMP guidelines. Commissioner Williams made a motion to authorize the Water Department to purchase water from Arley and do the necessary studies. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

**Consider plat for Lystra Subdivision locate in District 3 on County Road 1592**

Keith Creel, Assistant Engineer, stated the plat was originally submitted at Tim Butts Construction LLC Subdivision but has been changed to Lystra Subdivision due to Health Department regulations. It meets the regulations for a minor subdivision and he recommended approval of the plat. Commissioner Williams made a motion to accept the plat for the Lystra Subdivision on County Road 1592. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

**Consider granting one (1) year extension on proposed plat for Water Bound Subdivision located in District 2 off County Road 351**

Keith Creel stated that one extension has already been granted, however the extensive rain has damaged the curb and gutter and the developer is requesting additional time for repairs to the road. Commissioner Willingham made a motion to extend the proposed plat for Water Bound Subdivision for one (1) year. Commissioner Williams seconded. The motion passed on a unanimous voice vote.

**Consider Resolution 2009-35 to set the speed limit on County Road 641 at 30 MPH**

Fred Penn, County Engineer, stated County Road 641 has horizontal curves and recommended setting the speed limit at 30 MPH. Commissioner Williams made a motion to set the speed limit at 30 MPH on County Road 641. Commissioner Willingham seconded, and upon a voice vote, the motion passed unanimously.

**Consider extending Bid No. 958 – Texaco Xpress Lube for service to Sheriff's Department and other various department vehicles**

Gary Teichmiller, County Administrator, stated Texaco Xpress Lube currently has the bid and recommended a one (1) year extension at the same price. Commissioner Williams made a motion to extend Bid 958 to Texaco Xpress Lube for service to County vehicles for one (1) year. Commissioner Willingham seconded. Upon a unanimous voice vote, the motion passed.

**Consider awarding Bid No. 1009 – Computer and printer equipment**

Ken Walling from the IT Department recommended awarding the bid to I.S. Corporation to supply Dell computers and printers for six (6) month. Commissioner Willingham made a motion to award the bid to I.S. Corporation. Commissioner Williams second, and upon a voice vote, the motion passed unanimously.

**OLD BUSINESS**

**Discussion of forming a Cemetery Rehabilitation Authority**

Commissioner Williams stated since the previous Commission Meeting, the State Insurance Board has informed the Commission that the federal judge in charge of the bankruptcy of Memory Gardens is not in favor of the formation of a Cemetery Rehabilitation Authority at this time; he prefers to sell the property. Further explanation was given concerning the \$115,000.00 escrow account. Only the interest from the account can be used for the perpetual care of the cemetery. This fund can not be used for repayment to individuals who paid for funeral expenses. A group of individuals stated they are interested in purchasing the cemetery, but have been unable to get the information needed. Commissioner Williams stated he would speak with the group after the Commission Meeting. Chairman Graves announced that St. John's Evangelical Protestant Church was sponsoring a clean-up day at Memory Gardens, Saturday, June 13.

Chairman Graves reported that the "Free Day at the Dump" during the month of May generated 730 tons of trash at a cost to the County of \$25,178.00.

Chairman Graves reported that the State Legislature appropriated \$250,000 in this year's budget for the transport of bodies to the Forensic Lab alleviating the County of any possible expense.

**NEXT REGULAR COMMISSION MEETING TUESDAY, JUNE 23, 2009**

Chairman Graves announced the next regular Commission Meeting will be Tuesday, June 23, 2009 at 10:00 a.m. in the Commission Office Conference Room.

**ADJOURN THE MEETING**

Chairman Graves asked if there was further business to consider and there was none. Chairman Graves adjourned the meeting at 10:36 a.m.

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James D. Graves, Chairman

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J. Douglas Williams  
Associate Commissioner

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Wayne Willingham  
Associate Commissioner